



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

**EXPEDITED PROCEDURE -
RESPONSE UNDER
37 C.F.R. § 1.116**

In re Patent Application of

Masaki Wake et al.

Application No.: 10/715,509

Filing Date: November 19, 2003

Title: SPACER SUITABLE FOR USE WITH DISK BRAKE INCLUDING CALIPER

Group Art Unit: 3677

Examiner: RUTH C RODRIGUEZ

Confirmation No.: 4698

AMENDMENT/REPLY TRANSMITTAL LETTER

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Enclosed is a reply for the above-identified patent application.

☐ A Petition for Extension of Time is also enclosed.

☐ Terminal Disclaimer(s) and the ☐ \$65.00 (2814) ☐ \$130.00 (1814) fee per
Disclaimer due under 37 C.F.R. § 1.20(d) are also enclosed.

☐ Also enclosed is/are _____

☐ Small entity status is hereby claimed.

☐ Applicant(s) requests continued examination under 37 C.F.R. § 1.114 and enclose the
☐ \$395.00 (2801) ☐ \$790.00 (1801) fee due under 37 C.F.R. § 1.17(e).

☐ Applicant(s) requests that any previously unentered after final amendments not be entered.
Continued examination is requested based on the enclosed documents identified above.

☐ Applicant(s) previously submitted _____

on _____
for which continued examination is requested.

☐ Applicant(s) requests suspension of action by the Office until at least _____,
which does not exceed three months from the filing of this RCE, in accordance with 37 C.F.R.
§ 1.103(c). The required fee under 37 C.F.R. § 1.17(i) is enclosed.

☐ A Request for Entry and Consideration of Submission under 37 C.F.R. § 1.129(a) (1809/2809) is also
enclosed.

- ☒ No additional claim fee is required.
- ☐ An additional claim fee is required, and is calculated as shown below.

AMENDED CLAIMS					
	No. of Claims	Highest No. of Claims Previously Paid For	Extra Claims	Rate	Additional Fee
Total Claims	13	MINUS 20 =	0	x \$50.00 (1202) =	\$ 0.00
Independent Claims	3	MINUS 3 =	0	x \$200.00 (1201) =	\$ 0.00
If Amendment adds multiple dependent claims, add \$360.00 (1203)					
Total Claim Amendment Fee					\$ 0.00
<input type="checkbox"/> Small Entity Status claimed - subtract 50% of Total Claim Amendment Fee					\$ 0.00
TOTAL ADDITIONAL CLAIM FEE DUE FOR THIS AMENDMENT					\$ 0.00

- ☐ A check in the amount of _____ is enclosed for the fee due.
- ☐ Charge _____ to Deposit Account No. 02-4800.
- ☐ Charge _____ to credit card. Form PTO-2038 is attached.

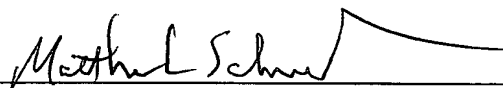
The Director is hereby authorized to charge any appropriate fees under 37 C.F.R. §§ 1.16, 1.17, 1.20(d) and 1.21 that may be required by this paper, and to credit any overpayment, to Deposit Account No. 02-4800. This paper is submitted in duplicate.

Respectfully submitted,

BUCHANAN INGERSOLL PC

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Date: May 2, 2006

By 
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Patent
Attorney's Docket No. 1034058-000001

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Masaki Wake et al.)	RESPONSE UNDER
Application No.: 10/715,509)	37 C.F.R. § 1.116
Filed: November 19, 2003)	
For: SPACER SUITABLE FOR USE)	Group Art Unit: 3677
WITH DISK BRAKE INCLUDING)	Examiner: Ruth C Rodriguez
CALIPER)	Confirmation No.: 4698
)	

REQUEST FOR RECONSIDERATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action dated March 2, 2006, please amend the above-identified patent application as follows.

Appreciation is expressed to Examiner Rodriguez for the continued indication that Claims 12 and 13 are allowable and that Claims 10 and 11 would be allowable if rewritten in independent form. Thus, the only claims currently at issue are Claims 1-7 and 9, with Claim 1 being the only independent claim.

As was explained in the Amendment filed on December 1, 2005, Claim 1 is directed to a metal spacer made of a metal and interposed between opposed faces of two members having respective bores co-axial with each other and fastened to one another by inserting a fastening member into the bores and tightening the fastening member. The claimed metal spacer comprises a base interposed between the opposed faces of the members and having a through hole co-axial with the bores of the respective members so that the fastening member is inserted through the hole. The metal spacer also comprises a temporarily retaining portion provided on